IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.23754 of 2008
KRISHNA RAI & ORS
Versus
THE STATE OF BIHAR
WITH
Cr.Misc. No.23762 of 2008
RAMAKANT RAI & ORS
Versus
THE STATE OF BIHAR
WITH
Cr.Misc. No.24151 of 2008
KRISHNA RAI & ORS
Versus

2/ 08.07.2008 Since all the above three bail applications have arisen out of one Sonepur P.S. Case No. 239 of 2007, they have been heard together and are being disposed of by this common order.

Initially a case was registered under Section 307 of the Indian Penal Code on 30.10.2007 but after death of the injured Section 302 of the Indian Penal Code was added by order dated 22.11.2007.

Altogether 17 persons are named as accused. It appears that there was dispute between two sides due to election of Secretary of School. On account of that Sanjay Rai, Suresh Rai, Vishwnath Rai and Krishna Rai with their farsas attacked and caused injuries to Shatrughan Rai @ Ranvijay Rai. Prabhu Pandit and the informant also.

Submission is that there is no specific allegation against any of the accused that they are responsible for the killing. Section 302 is not attracted as there were no intervening circumstances. The death was on account of medical negligence. Co-accused Vishwanath Rai, Suresh Rai and Sanjay Rai have already been granted bail by this Court by different orders.

It has been submitted that case of petitioner no. 1

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Krishna Rai of Cr. Misc. No. 23754 of 2008 has been transferred to the Court of Sri Sampat Kumar, Judicial Magistrate, Ist Class, Chapra at Saran. He is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sampat Kumar, Judicial Magistrate, Ist Class, Chapra at Saran in connection with Sonepur P.S. Case No. 239 of 2007/Tr.No. 303/2008.

The other petitioners namely Kameshwar Rai and Chandraket Rai of Cr. Misc. No. 23754 of 2008 and petitioners Ramakant Rai, Manager Rai and Bindeshwar Rai (in Cr. Misc. No. 23762 of 2008) and Krishna Rai, Mannu Rai and Dharamnath Rai (in Cr. Misc. No. 24151 of 2008) are ordered to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with Sonepur P.S. Case No. 239 of 2007.

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kksinha/ **(Shyam Kishore Sharma, J.)**